



ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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ANNUAL OVERALL GOAL INFORMATION

To: Mr. Arthur Duffy, P.E.
Caltrans District 4
District Local Assistance Engineer

The amount of overall goal, methodology, breakout of estimated race-neutral and race-conscious participation, and any DBE program updates are presented herein in accordance with Title 49 of the Code of Federal regulations Part 26, and as described in the Local Assistance Procedures Manual.

The Alameda County Congestion Management Agency (CMA) submits our annual overall goal information for your review and comment. The CMA has established an overall DBE goal of **7.05 percent** for the Federal Fiscal Year 2005/2006, beginning on October 1, 2005 and ending on September 30, 2006.

I. Goal Setting Methodology

The purpose of the overall goal is to achieve equal opportunity for ready, willing and able DBEs seeking to participate on federally assisted contracts. Recipients of federal aid from the United States Department of Transportation (DOT) are required to utilize a two step process in the development of their overall DBE Goals in accordance with 49 CFR Part 26.41. Step one requires recipients to determine a base figure for the relative availability of DBEs that are ready, willing and able to participate in the recipient's DBE program. Once a base figure has been determined, the recipient must seek more data to determine if the base figure should be adjusted upward or downward. As a result, step two requires the recipient to adjust the base figure to account for other evidence in the recipient's market area.

Step One: Determining a Base Figure

Table 1 lists the CMA's I-680 Smart Carpool Lane Project's anticipated federally assisted contracts for FFY 2005/2006, their NAICS codes, work categories, and percent of project funding.

Table 1: I-680 Smart Carpool Lane Project				
I-680 Smart Carpool Lane Contracts		NAICS	Work Categories	% of Project Funding
1	Smart Carpool Lane Project Management	541330	ITS Engineering Consulting Serv.	11.44%
		541618	General Manag. Consulting	7.62%
2	Smart Carpool Lane Marketing	541430	Graphic Design	0.49%
		541910	Market Research/ Public Opinion Polling	2.80%
3	Electronic Toll System Integrator	541511	Software Design	27.18%
		541512	Computer Systems Design	46.59%
		561990	Traffic Control	3.88%
Total Smart Carpool Lane Contracting				100.00%

Table 2 lists the CMA's I-680 SMART Corridors O&M Project's anticipated federally assisted contracts for FFY 2005/2006 by their NAICS codes, work categories, and percent of project funding.

Table 2: SMART Corridors O&M Project				
SMART Corridors O&M Contracts		NAICS	Work Categories	% of Project Funding
1	SMART O&M: Traffic Management Center	541330	ITS Engineering	5.38%
		541512	Computer Systems Design	10.42%
		334110	Computer Equip. Manufacturing	11.76%
		517110	Wired Telecom Services	3.36%
2	O&M Equipment	334110	Computer Equip. Manufacturing	13.44%
		334220	Video Equip. Manufacturing	6.72%
3	SMART O&M	517212	Wireless Telecom Services	10.08%
		517110	Wired Telecom Services	10.08%
		541512	Computer Systems Design	28.76%
Total SMART Corridors Contracting				100.00%

Table 3 lists the CMA's 20th St. Transit Center Project's one anticipated federally assisted contract for FFY 2005/2006 by its NAICS codes, work categories, and percent of project funding.

Table 3: 20 th St. Transit Center Project				
Transit Center Contract		NAICS	Work Categories	% of Project Funding
1	Construction	237310	Highway & Street Construction (License A)	50.00%
		237310	Construction-Concrete (License C08)	25.00%
		237310	Construction-paving (License C12)	17.00%
		484110	Trucking	5.00%
		561990	Traffic Control	3.00%
Total 20 th St. Transit Center Contract				100.00%

The CMA then figured, for all of the anticipated federally assisted contracts for FFY 2005/2006, the relative availability of DBEs for each anticipated work category. The CMA elected to utilize the Caltrans Unified Certification Program (UCP) database and the Census Bureau's 2003 County Business Patterns (CBP) database to derive a base figure for the relative availability of DBEs in its market area. To more accurately determine relative availability, the CMA's market area was defined as the 9 county Bay Area and only firms located in this area were considered ready, willing, and able.

Table 4 summarizes the information used to derive the weighted DBE availability for the anticipated work categories.

Table 4: Availability of DBE's by Work Category						
NAICS Code	Work Category	% of Total Funding	ALL	DBE	DBE Availability (DBE/ALL)	Weighted DBE Availability
541330	Engineering	7.59%	2,158	189	8.76%	0.66%
541618	Gen Manag. Consult	4.19%	223	14	6.28%	0.26%
541430	Graphic Design	0.27%	642	26	4.05%	0.01%
541910	Market Research & Public Opinion Polling	1.54%	217	7	3.23%	0.05%
541511	Software Dev.	14.93%	3,271	50	1.53%	0.23%
541512	Computer Systems Design	35.15%	2,074	102	4.92%	1.73%
561990	Traffic Control	2.75%	330	6	1.82%	0.05%
517212	Wireless Telecom Services	2.46%	275	0	0.00%	0.00%
517110	Wired Telecom Services	3.28%	681	10	1.47%	0.05%
334220	Computer Equip. Manufacturing	6.15%	176	1	0.57%	0.03%
334110	Video Cameras Manufacturing	1.64%	99	1	1.01%	0.02%
237310	Highway & Street Construction	10.34%	176	60	34.09%	3.53%
237310	Construction-Concrete	5.17%	176	7	3.98%	0.21%
237310	Construction-paving	3.52%	176	3	1.70%	0.06%
484110	Trucking	1.03%	327	51	15.60%	0.16%
Total		100.00%				7.05%

The DBE availability for each NAICS code was calculated using the following formula:

$$\frac{\text{Total DBEs in NAICS code within market area}}{\text{All firms in NAICS code within market area}} = \text{DBE availability}$$

The resulting availability of DBE firms for each work category was then weighted by the percent of total funding for each corresponding work category.

The weighted DBE availability for each NAICS code was calculated using the following formula:

$$\text{DBE availability} \times \% \text{ of total funding} = \text{weighted DBE availability}$$

The resulting weighted availabilities were then added together to derive a base figure.

The base figure is therefore **7.05 percent**.

Step Two: Adjusting the Base Figure

Upon establishing the base figure, the CMA reviewed and assessed other known relevant evidence to determine what additional adjustments, if any, were needed to narrowly tailor the base figure to the CMA's market area. The CMA did not identify any current disparity studies within its market area that warranted an adjustment, nor did it find any relevant or reliable statistical data relating to the ability of DBE's to participate in the CMA's federal contracting that demonstrated a need to adjust the base figure. The CMA then considered past participation. To obtain a more accurate reflection of past participation, only contracts similar to those anticipated for FFY 2005/2006 were reviewed.

Table 5 lists past federally assisted contracts similar to those anticipated for FFY 2005/2006, along with the DBE goal and actual DBE participation for each.

Table 5: Past Contracts Similar to Anticipated Contracts for 2005/2006			
Contract	DBE Goal	% DBE Awarded	Type of Contract
A00-007	20%	20%	ITS Engineering / computer systems design services
A02-006	0%	0%	IT /computer systems design services
A02-014	0%	0%	Software dev.& systems integration
A03-001	3%	0%	Data / telecommunications service
A03-004	0%	0%	Software dev. & systems integration
A05-018	0%	0%	SMART Corridors Equipment

In reviewing past participation, it is apparent that the type of contracting greatly influences the level of DBE participation. In light of the evidence of the inability to exceed past DBE goals set for similar types of contracts, the CMA elects to not adjust the base figure of 7.05 percent, and to adopt it as the overall annual goal.

II. Estimating Race-Neutral and Race-Conscious Participation

A. Race-neutral

As stated in 49 CFR Part 26, local agencies must meet a portion of their goal, to the maximum extent feasible, through race/gender-neutral means of facilitating DBE participation. The CMA first reviewed race-neutral past participation.

A measurement of race-neutral participation is the amount by which past annual overall goals have been exceeded. For any given year, if awarded DBE participation is greater than the annual overall goal, the difference between the two is to be considered race-neutral participation. Typically, the CMA has had little race-neutral past participation for most of the types of contracts anticipated for FFY 2005/2006, but nevertheless is to determine a portion of the annual goal that it anticipates meeting through race-neutral means. Therefore, the amounts by which past annual overall goals have been exceeded from FFY 2000/2001-2003/2004 were reviewed, and the median figured. FFY 2004/2005 participation was not included since federally assisted contracting has not been completed for the year.

Table 6 lists the annual overall goal, percent awarded to DBE firms, and overall race-neutral participation for FFY 2000/2001-FFY 2003/2004.

Table 6: Race-Neutral Participation for FFY 2000/2001-2004/2005			
FFY	Annual Overall DBE Goal	% DBE Award	Race-neutral participation
2000/2001	24.0%	25.7%	1.7%
2001/2002	No Goal	0.0%	0.0%
2002/2003	24.0%	6.0%	0.0%
2003/2004	25.0%	42.6%	17.6%

The median of race-neutral participation was then figured:

(0%, 0%, 1.7%, & 17.6%) = (0% + 1.7%) divided by 2 = 0.90 %.

The CMA therefore anticipates meeting 0.90 percent of its federally assisted contracting, or 13 percent of the 7.05 percent DBE goal during FFY 2005/2006 utilizing race-neutral methods.

The race and gender-neutral efforts to be utilized by the CMA include the following contract specific and general program measures:

1. Contract Specific Measures

When possible, CMA project managers will allow six weeks between the time an Invitation to Bid is advertised and the actual bid opening date. This will provide more lead time for networking, outreach and preparing bids.

CMA project managers will continue to hold mandatory pre-bid meetings to explain the project specifications, general conditions and DBE Program goals and requirements.

2. General Program Measures

General DBE Program race-neutral outreach efforts include, but are not limited to, the following:

- Working with DBE resource and assistance organizations
- Agency participation in DBE-focused seminars and workshops
- Maintaining an up-to-date bidders' list of all prime and subcontractors

In order to more accurately estimate race-neutral participation, the CMA has begun collecting DBE utilization information on its state and locally funded contracts. Since these contracts do not have set DBE goals, any participation by DBE sub-contractors is considered race-neutral. This information will not be compiled in time for use in this year's calculation, but will be useful for future years.

B. Race-Conscious

The CMA anticipates meeting the remaining 6.15 percent of its federally assisted contracting, or 87 percent of the 7.05 percent DBE goal during FFY 2005/2006 utilizing race-conscious methods. Race-conscious efforts to be utilized by the CMA include establishing contract specific goals on contracts with race-focused possibilities, when needed, to meet CMA's overall DBE goal.

The CMA will adjust the estimated breakout of race-neutral and race-conscious participation at the end of the six month period for this fiscal year to reflect actual DBE participation by race-neutral means per 49 CFR 26.51(f). That is, if actual race-neutral participation falls short of projected race-neutral participation, the CMA will increase its usage of race-conscious means equal to the percentage not reached by race-neutral means as well as the projected percentage that is not anticipated to be met through race-neutral means.

III. Public Participation in Annual Overall Goal Setting

In conformance with the Public Participation Regulatory Requirements of 49 CFR Part 26.45 and Caltrans Local Assistance Procedures Manual (LAPM) Chapter 9/Section 9.5, the CMA will coordinate the review of this goal analysis with the following minority, women, local business chambers, general contractor groups, community organizations, and other U.S. DOT recipients.

- Alameda County Public Works Agency
- Alameda County Transportation Improvement Authority
- Oakland Metropolitan Chamber of Commerce
- Associated General Contractors of Alameda County
- Hispanic Chamber of Commerce of Alameda County
- Oakland-Alameda County Black Chamber of Commerce
- East Bay Asian Design Professionals
- Society of Women Engineers
- Structural Engineers Association of Northern California

The CMA DBELO will publish a Public Notice in the following general circulation media and in women/ minority-focused media.

- *The San Francisco Chronicle*
- *The Oakland Tribune*
- *Asian Week*
- *El Mensajero*
- *The Oakland Post*
- *The Daily Construction Service*
- *The Daily Pacific Builder*

The purpose of this notice is to inform the public that the proposed Goal and its rationale will be available for inspection at the CMA during normal business hours for 30 days following the date of the Public Notice and, that the CMA and DOT will accept comments on the Goal for 45 days from the date of the Public Notice.

Additionally, the CMA DBELO will post this proposed Annual Overall Goal for the FY 2005/2006 on its website at www.accma.ca.gov. and its rationale during the 30 day period, and the CMA will also accept email comments on the Goal for 45 days.

The required public participation provisions will be fully satisfied prior to submitting the CMA's DBE Annual Overall Goal for Final Review and Approval.



Christina Muller

9-1-05

Date